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December 12, 2000

BY FACSIMILE AND FIRST CLASS MAIL

Mary Fulghum
Assistant Regional Counsel
U.S. EPA Region V
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

Re: North Columbus Drive

Dear Mary:

At the December 7, 2000 meeting, in discussion of the Grand Pier site, EPA sought assurance that the responsible parties under the UAO -- Kerr-McGee, Grand Pier and River East -- would address radionuclide contamination beneath the sidewalk adjacent to the Grand Pier site.

In the first instance, the most logical way to address the contamination may be to amend the existing right-of-way agreement among the City of Chicago, River East and Kerr-McGee. I gather that in the course of the December 7 meeting, EPA representatives expressed some discomfort with implementation of this agreement. Kerr-McGee would be happy to discuss with you ways in which to improve the functioning of this agreement in the context of amending it to apply to the sidewalk adjacent to the Grand Pier site. This approach appears more logical than the conduct of an expensive and inconvenient excavation.

Please call me so that we can discuss this matter.

Sincerely,

John T. Smith II

cc: Frederick Mueller
Vince Oleszkiewicz